

**House File 2240 - Introduced**

HOUSE FILE 2240

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**A BILL FOR**

1 An Act relating to the suspension of a person's driver's  
2 license for failure to pay court debt.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.12, subsection 3, paragraph a, Code  
2 2022, is amended to read as follows:

3 a. Records concerning suspensions authorized under section  
4 321.210, subsection 1, paragraph "a", subparagraph (7),  
5 ~~and section 321.210A~~ may be destroyed six months after the  
6 suspension is terminated and the requirements of section  
7 321.191 have been satisfied.

8 Sec. 2. Section 321.212, subsection 1, paragraph a,  
9 subparagraph (1), Code 2022, is amended to read as follows:

10 (1) Except as provided in section ~~321.210A~~ or 321.513,  
11 the department shall not suspend a license for a period of  
12 more than one year, except that a license suspended because of  
13 incompetency to drive a motor vehicle shall be suspended until  
14 the department receives satisfactory evidence that the former  
15 holder is competent to operate a motor vehicle and a refusal  
16 to reinstate constitutes a denial of license within section  
17 321.215; ~~upon.~~ Upon revoking a license the department shall  
18 not grant an application for a new license until the expiration  
19 of one year after the revocation, unless another period is  
20 specified by law.

21 Sec. 3. Section 321.215, subsection 2, Code 2022, is amended  
22 to read as follows:

23 2. Upon conviction and the suspension or revocation of a  
24 person's noncommercial driver's license under section 321.209,  
25 subsection 5 or 6, or ~~section 321.210, 321.210A,~~ or 321.513; or  
26 upon the denial of issuance of a noncommercial driver's license  
27 under ~~section 321.560~~, based solely on offenses enumerated  
28 in ~~section 321.555, subsection 1~~, paragraph "c", or section  
29 321.555, subsection 2; or upon suspension or revocation of  
30 a juvenile's driver's license pursuant to a dispositional  
31 order under ~~section 232.52, subsection 2~~, paragraph "a", for  
32 a violation of ~~chapter 124 or 453B, or section 126.3~~; or upon  
33 suspension of a driver's license pursuant to a court order  
34 under ~~section 714.7D~~, the person may apply to the department  
35 for a temporary restricted license to operate a motor vehicle

1 for the limited purpose or purposes specified in [subsection 1](#).  
2 The application may be granted only if all of the following  
3 criteria are satisfied:

4 *a.* The temporary restricted license is requested only for a  
5 case of hardship or circumstances where alternative means of  
6 transportation do not exist.

7 *b.* The temporary restricted license is restricted to the  
8 limited purpose or purposes specified in [subsection 1](#) at times  
9 specified in the license.

10 *c.* Proof of financial responsibility is established as  
11 defined in [chapter 321A](#). However, such proof is not required  
12 if the driver's license was suspended under ~~section 321.210A~~  
13 ~~or 321.513~~.

14 Sec. 4. Section 321.218, subsection 3, paragraph a, Code  
15 2022, is amended to read as follows:

16 *a.* The department, upon receiving the record of the  
17 conviction of a person under [this section](#) upon a charge of  
18 operating a motor vehicle while the license of the person is  
19 suspended or revoked, shall, except for licenses suspended  
20 under [section 252J.8](#), [section 321.210](#), [subsection 1](#), paragraph  
21 "a", subparagraph (3), or ~~section 321.210A or 321.513~~, extend  
22 the period of suspension or revocation for an additional like  
23 period or for one year, whichever period is shorter.

24 Sec. 5. Section 321A.17, subsection 4, Code 2022, is amended  
25 to read as follows:

26 4. An individual applying for a driver's license following a  
27 period of suspension or revocation pursuant to a dispositional  
28 order issued under [section 232.52](#), [subsection 2](#), paragraph  
29 "a", or under [section 321.180B](#), [section 321.210](#), [subsection](#)  
30 [1](#), paragraph "a", subparagraph (4), or ~~section 321.210A,~~  
31 [321.213A](#), [321.213B](#), [321.216B](#), or [321.513](#), following a period  
32 of suspension or revocation under [section 321.178](#) or [321.194](#),  
33 or following a period of revocation pursuant to a court order  
34 issued under [section 321J.2A](#), is not required to maintain proof  
35 of financial responsibility under [this section](#).

1     Sec. 6. Section 321J.17, subsection 1, Code 2022, is amended  
2 to read as follows:

3     1. If the department revokes a person's driver's license  
4 or nonresident operating privilege under [this chapter](#), the  
5 department shall assess the person a civil penalty of two  
6 hundred dollars. The money collected by the department under  
7 this section shall be transmitted to the treasurer of state  
8 who shall deposit one-half of the money in the separate fund  
9 established in [section 915.94](#) and one-half of the money in the  
10 general fund of the state. A temporary restricted license  
11 shall not be issued unless an ignition interlock device has  
12 been installed pursuant to [section 321J.4](#). ~~Except as provided~~  
13 ~~in [section 321.210B](#), a~~ A temporary restricted license shall  
14 not be issued or a driver's license or nonresident operating  
15 privilege reinstated until the civil penalty has been paid.  
16 A person assessed a penalty under [this section](#) may remit the  
17 civil penalty along with a processing fee of five dollars to a  
18 county treasurer authorized to issue driver's licenses under  
19 chapter 321M, or the civil penalty may be paid directly to the  
20 department.

21     Sec. 7. Section 331.756, subsection 5, paragraph d, Code  
22 2022, is amended to read as follows:

23     d. All fines, penalties, court costs, fees, and restitution  
24 for court-appointed attorney fees ordered pursuant to section  
25 815.9, including the expenses of a public defender which are  
26 delinquent as defined in [section 602.8107](#) may be collected by  
27 the county attorney or the county attorney's designee. ~~The~~  
28 ~~county attorney or the county attorney's designee may collect~~  
29 ~~delinquent obligations under an installment agreement pursuant~~  
30 ~~to [section 321.210B](#).~~

31     Sec. 8. Section 602.8102, subsection 50A, Code 2022, is  
32 amended by striking the subsection.

33     Sec. 9. REPEAL. Sections 321.210A and 321.210B, Code 2022,  
34 are repealed.

35     Sec. 10. SUSPENDED DRIVER'S LICENSES REINSTATED. On the

1 effective date of this Act, the department of transportation  
2 shall reinstate all driver's licenses that have been suspended  
3 by the department pursuant to section 321.210A. On and after  
4 the effective date of this Act, a person whose license has been  
5 reinstated pursuant to this section may apply for a replacement  
6 driver's license pursuant to section 321.189.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 Under current law, the department of transportation (DOT)  
11 is required to suspend the driver's license of a person who,  
12 upon conviction of violating a law regulating the operation of  
13 a motor vehicle, has failed to timely pay the criminal fine,  
14 penalty, surcharge, or court costs. The clerk of the district  
15 court must mail notice to a person who has failed to pay the  
16 required court debts and provide 60 days for the person to make  
17 the payment. If payment is not received, the clerk of the  
18 district court must notify the DOT to initiate the suspension.  
19 If after suspension, the person enters into an installment  
20 agreement to pay the court debts, the person's license must be  
21 reinstated by the DOT. However, the person's license may be  
22 suspended again if the person is convicted of an additional  
23 violation of a law regulating the operation of a motor vehicle,  
24 or if the person defaults on the installment agreement.

25 This bill repeals Code sections 321.210A and 321.210B which  
26 provide for the suspension of a driver's license for failure to  
27 pay a fine, penalty, surcharge, or court costs and the optional  
28 installment agreement. Installment agreements for court debt  
29 are still available to defendants under Code section 602.8107.

30 The bill requires the DOT to reinstate all driver's licenses  
31 that have been suspended by the DOT pursuant to Code section  
32 321.210A, and a person whose license has been reinstated  
33 pursuant to the bill may apply for a replacement driver's  
34 license pursuant to Code section 321.189.

35 The bill does not affect the DOT's ability to act against a

H.F. 2240

1 person's driver's license for reasons other than nonpayment of  
2 court debt.